IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 344 OF 2005

IN

FIRST APPEAL NO. 187 OF 2004

LAXMAN KANDOLKAR AND ANR., ...Applicants

Versus

M/S ROJ BUILDERS THROUGH ITS PROPRIETOR,MR.RUI DA GAMA ....Respondents

Ms.Kamaxi Sambari, Advocate for the Applicants.
Shri A. Kakodkar, Advocate for the Respondent.

Coram:- R. M. LODHA, J.

Date:- 28th October, 2005

P.C.:

Heard.

The applicants are the original respondents in First Appeal No.187/2004. In view of the liberty granted to the present applicants to apply for withdrawal of the amount in the Order dated 14th January, 2005, the present application has been made.

Having considered the matter, I am of the view that the Applicants may be permitted to withdraw the amount of Rs.50,000/- deposited by the appellants.

Hence the Order :-

The applicants (respondents in First Appeal) are permitted to withdraw

the amount of Rs.50,000/- on their furnishing solvent surety to the satisfaction of the Registrar of this Court and also an undertaking that in the event of the First Appeal being allowed and judgment and decree being set aside by this Court, they would restitute the amount so withdrawn to the appellants within six weeks of the decision in First Appeal.

Misc. Civil Application stands disposed of.

R. M. LODHA, J.

sl.